

The Los Angeles Police Department

LABOR RELATIONS

ROLL CALL TRAINING GUIDE

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SECTION I

1. LABOR DISPUTE GUIDELINES AND POLICY

The City of Los Angeles comprises a major portion of the second largest industrial area in the nation. The Los Angeles Police Department is called upon to handle numerous labor disputes that occur in the City each year.

The following guidelines are provided to enable Department personnel to carry out, more effectively, their responsibilities during such disputes. The guidelines expand and encompass the Department's role relating to labor relations as outlined in the Department Manual.

It is the policy of the Department that the [police role in strikes or labor disputes, at all times, be unbiased, reasonable and impartial while protecting the civil rights of the general public and involved parties (Volume I Policy/Community Affairs, 1/460.10 through 1/460.50).

SECTION II

1. FIELD SUPERVISOR AND PATROL OFFICERS GUIDE FOR HANDLING LABOR DISPUTES

- A. In the event of any known job action/strike or labor dispute, notify Labor Relations Unit, Office of Operations, at **213.486.0630**. For off- hour notifications phone the Department Operations Center (DOC) at **213.484.6700**.
- B. No two strikes are alike. Any enforcement action taken is quickly assessed by both labor and management as to its impartiality and reasonableness.
- C. The right to picket peacefully must be upheld by law enforcement. If an illegal act results from picketing, corrective actions should be taken. Public inconvenience should be brought to the attention of the union official on the line.
- D. Peace officers have no legal authority to establish a strike perimeter or limit the number of pickets.
- E. Pickets are pedestrian and, as such, may delay the ingress or egress of persons and vehicles at a strike location. Any delay that creates a safety hazard should be considered unreasonable.
- F. Management and union representatives have the right to talk with the driver of a vehicle that approaches the picket line. The driver is not obligated to talk with either representative. During such confrontations, law enforcement personnel should be in a position to prevent violations of the law.

- G. If it becomes necessary to temporarily open a picket line for the purpose of allowing a vehicle to cross, extreme caution should be exercised. The use of arm and hand signals to direct vehicles to cross the picket line is usually interpreted as an order to the driver to cross the line. It may be beneficial to have a representative of management present during these critical periods to direct vehicles onto their property.
- H. The potential for violence may increase during shift changes. Special attention should be given to picket locations during these critical periods.
- I. When private security personnel are employed, it is suggested that security personnel **not be armed**. Officers should not fraternize unnecessarily with security personnel. This could quite obviously jeopardize our impartial position.
- J. Arrest Procedures – **Misdemeanor**: Labor and management often agree to withdraw all criminal complaints upon settlement of a labor dispute. For this reason, private persons arrest procedures should be utilized whenever possible. Arrest Procedures – **Felony**: When felonies occur at the scene of a dispute, and if sufficient probable cause is established, the suspect(s) should be arrested. Once an arrest is accomplished, the arrestees should be removed from the area immediately.
- K. Injunctions: An injunction is a writ or order of the court restraining a person, or groups of people, from doing a particular act (525 CCP). Injunctions are also obtained in order to limit the number of pickets. An injunction is a civil process. Violations of an injunction are treated as contempt of court. If either party desires legal recourse, such action must be filed in the court of issuance. It is not the duty of law enforcement to enforce an injunction. The exception would be if the violation of the injunction also violates a provision of the law, or the court is directing the Sheriff or Chief of Police by name, ordering the enforcement of the writ or order. Arrests should be made pursuant to 166(4) PC

SECTION III

1. COMMONLY USED STATE AND LOCAL STATUTES

The following is a list of Penal Code and Vehicle Code sections applicable in labor disputes. Section 552.1 “does not prohibit immediate vicinity (or property posted against trespassing pursuant to Penal Code Section 554) or any lawful activity by which the public is informed of the existence of an alleged labor dispute.” The key is lawful activity on the part of such demonstrators.

CALIFORNIA VEHICLE CODE SECTIONS

20002a.	Hit and Run
21950b.	Crosswalks, Pedestrians
21950a.	Pedestrian Yield
21955	Jaywalking
21956	Walking on Roadway
23152a.	Driving under the Influence
23110a.	Throwing substance at Vehicle
23100b.	Throwing Substance at Vehicle with Intent
23112b.	Depositing Rocks or Dirt on Highway
23122	Possession of Open Container on Highway
23123	Storage of Open Container on Highway
23123.5	Possession by Minor

CALIFORNIA PENAL CODE SECTIONS

69	Resisting Officer
148	Resisting, delaying, interfering with peace officer
148.1	False report of planting bomb or other explosive
240	Assault
243	Battery
245	Assault with Deadly Weapon
403	Disturbance of public meeting
404	Riot
404.6	Incitement to Riot
405a.	Lynching
406	Rout
407	Unlawful Assembly
409	Remaining present at place of riot, etc. after warning to disperse.
415	Disturbing the peace
422	Criminal Threats
451.5	Arson
453	Possession, manufacture, or use of flammable or combustible substance or incendiary device.
588a.	Throwing injurious substance on highway
588b.	Breaking down barrier or removing authorized barrier, sign or light on highway.
594.	Vandalism
602	Trespassing
647c.	Willful and malicious obstruction of thoroughfare and public places
647	Disorderly conduct
653m.	Obscene, threatening or annoying telephone calls.
12020	Possession of Concealed Weapon
12025	Carrying Concealed Weapon within Vehicle or on Person
12031	Carrying Loaded Firearms
12303	Possession of Destruction Devices

LOS ANGELES MUNICIPAL

55.07	Picket Stick, 1/4" x 2" Wood Lath, or 3/4" Diameter Wood Dowel
41.57	Loud and Raucous Noise
115.02	Amplified Sound Prohibited
116.01	General Noise

SECTION IV

1. OUTSIDE EMPLOYMENT AT LABOR DISPUTE LOCATIONS, CONDITIONS AND RESTRICTIONS

Officers desiring to work off-duty employment during labor disputes will be required to adhere to existing Department policy.

In all cases of outside employment, the primary duty obligation is to the Department. The effectiveness of the Department in labor disputes is maintained by its impartiality.